

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

Monday, November 14, 2011

*** MORNING HOT LIST ***

Do federal regulations really kill jobs?

WASHINGTON POST Depends whom you ask. House Republicans have portrayed regulations as the economy's primary villain and have identified 10 "job-destroying" regulations they want to repeal. But economists say the situation is complex and that jobs are also being created. Beverly, Ohio — The Muskingum River coal-fired power plant in Ohio is nearing the end of its life. AEP, one of the country's biggest coal-based utilities, says it will cut 159 jobs when it shuts the decades-old plant in three years — sooner than it would like — because of new rules from the Environmental Protection Agency. About an hour's drive north, the life of another power plant is just beginning. In Dresden, Ohio, AEP has hired hundreds to build a natural-gas-fueled plant that will employ 25 people when it starts running early next year — and that will emit far fewer pollutants. The two plants tell a complex story of what happens when regulations written in Washington ripple through the real economy. Some jobs are lost. Others are created. In the end, say economists who have studied this question, the overall impact on employment is minimal. "If you're a coal miner in West Virginia, it's not a great comfort that a bunch of guys in Texas are employed doing natural gas," said Roger Noll, an economics professor at Stanford and co-director of the university's program on regulatory policy. "Some people identify with the beneficiaries, others identify with those who bear the cost, and no amount of argument is ever going to change their minds."

Federal environmental and health agencies collect data from Dimock families

SCRANTON TIMES-TRIBUNE Officials from federal environmental and public health agencies met with residents of Dimock Twp. late last week to discuss the impacts of Marcellus Shale natural gas drilling and to gather water-test results from families affected by methane migration. Three representatives from the Environmental Protection Agency and the Agency for Toxic Substances and Disease Registry visited Thursday with families around Carter Road, an area of Susquehanna County where state regulators have linked increased methane in water supplies to faulty natural gas wells. "They are looking to see if there is any environmental impact that would threaten life or health," Dimock resident Scott Ely said. Efforts to reach an EPA spokeswoman were unsuccessful Friday, when government offices were closed for Veterans Day. Natural gas drilling is largely regulated in Pennsylvania by the state Department of Environmental Protection, but the EPA is conducting a multiyear study to determine if there is a link between hydraulic fracturing, or fracking, and contaminated water supplies. The Agency for Toxic Substances and Disease Registry is an arm of the U.S. Department of Health and Human Services that works to prevent exposures to toxic substances. Dimock resident Victoria Switzer said the agencies were interested in copies of water-sample results from her well, including data gathered by scientists not affiliated with the state or drilling contractors. She also outlined her concerns that DEP weakened enforcement

actions against Cabot Oil and Gas Corp., the operator DEP deemed responsible for increased methane in water supplies. Cabot denies it impacted the water. Efforts to reach a DEP spokeswoman were unsuccessful Friday.

Editorial: Drilling rules: Affected towns must have role

PHILADELPHIA INQUIRER Pennsylvania lawmakers' work on natural-gas legislation has stirred up local governments on the front lines of the state's Marcellus Shale boom who are afraid of losing municipal powers over how the industry operates. The state must have broad powers to regulate drilling, but the local governments make some valid points. Both the state House and Senate are considering measures that would set some new drilling rules and charge an impact fee, most of which would go to local governments. However, the fee will have unprecedented strings attached. Proposals in both houses would preempt local governments from using their land-use powers to set rules that might upset the gas industry. In the Republican-run House, the finance committee has passed a far-reaching measure, with the 15-10 vote falling strictly along party lines. House Bill 1950 follows the approach Gov. Corbett recommended on preemption. Douglas Hill, director of the County Commissioners Association of Pennsylvania, says the group has "huge problems" with the House bill. "It's a complete preemption of our ability to do anything if it falls under the definition of oil and gas or environmental law, and both those definitions have been expanded . . . The House version has things the industry has never complained about." Meanwhile, Senate President Joe Scarnati (R., Warren) has proposed using the carrot of revenue sharing to induce local governments to accept modest but important restrictions on their powers over shale drilling. An early version of his Senate Bill 1100 called for the state to develop a model shale-drilling code and impose it on local governments as the price for collecting impact fees. That bill is being reworked in committee.

Feds Concerned About Fracking

WHEELING INTELLIGENCER (Saturday) 'Serious environmental consequences' considered.

WHEELING - Natural gas companies may drill as many as 100,000 new shale gas wells over the next few decades, but this could significantly damage the environment unless companies reduce their impacts, a federal advisory board finds. A spokesman for the Canonsburg, Pa.-based Marcellus Shale Coalition said his group - which includes Chesapeake Energy, Consol Energy, XTO Energy and Chevron, among other companies working in Pennsylvania, West Virginia and Ohio - said his industry is doing everything it can to cooperate with federal and state regulators to ensure safe development. "Our industry's commitment to ensuring that our environment is protected is second to none, and we continue work closely with state regulators to advance common-sense efforts aimed at responsibly developing clean-burning American natural gas," said spokesman Travis Windle. However, Earthjustice Managing Attorney Deborah Goldberg disagrees. "The way the gas industry has been doing business leaves the water we drink and the air we breathe at risk for dangerous pollution," she said. "The people downstream and downwind from the gasfields don't have any more time to waste."

Editorial: Marcellus misstep: House GOP seems to want to protect natural gas drillers, not Pennsylvania

HARRISBURG PATRIOT-NEWS That's the only way to describe House Bill 1950, the House Republicans' attempt at a Marcellus Shale package. GOP leaders say they are for "responsible drilling," but they might as well let the drillers write their own laws. The biggest issue is the impact fee. The proposed rate works out to about a 1 percent tax, which would make Pennsylvania the lowest of any natural gas-drilling states. Even Texas, which gives shale gas drillers a tax break in the early years down to about 2 percent, didn't go that low. It's certainly a pittance compared with most other states, including neighboring West Virginia's 5.8 percent. This newspaper has called for a reasonable severance fee for years. We concur with Republicans that taxing drillers to solve all the state's fiscal woes is the wrong approach. But enacting the lowest rate in the country on shale gas drillers is not reasonable; it's corporate welfare. Pennsylvanians overwhelmingly support a severance tax. This

House bill might be what the governor had in mind, but it's not what the people had in mind. Then there's the question of whether Pennsylvania will even collect the 1 percent. The impact fee implementation and collection is left up to each county, making it feasible that some counties won't even bother with the fee.

Task force suggests testing air from well drill pads

PITTSBURGH POST GAZETTE (Friday) Drill pads in Pennsylvania could be a good place to start testing air emissions associated with natural gas extraction in the Marcellus Shale, according to recommendations released Thursday by a U.S. Department of Energy shale gas task force. And that emissions data should be collected by drillers before government regulations are put in place that require it, said the Secretary of Energy Advisory Board Shale Gas Production Subcommittee. Both the Marcellus and the Eagle Ford shale formation in Texas work as possible testing grounds for systems that would search for air pollutants, the subcommittee report says. The report was the second from the subcommittee tasked with examining best practices in American shale plays and reporting back to Secretary of Energy Steven Chu and President Barack Obama. The subcommittee, which is made up of energy experts and industry leaders, earlier this year completed a months-long listening tour that included a public meeting in Washington, Pa. Its first report, released in August, said natural gas companies should be required to disclose all chemicals used in the hydraulic fracturing, or "fracking," process that splinters shale rock and allows gas to escape.

EPA, DNREC reach settlement with DuPont Corp. for water quality violations

CECIL WHIG (Sunday) The Delaware Department of Natural Resources and Environmental Control, the U.S. Environmental Protection Agency, and state and federal Departments of Justice have entered into a consent decree with the DuPont Co. The company agreed to pay a penalty of \$500,000 for numerous violations of the DuPont Edge Moor plant site's National Pollutant Discharge Elimination System (NPDES) permit and other state and federal regulations. Many of the violations at the facility - which makes a white pigment from titanium used in the print and publishing industries - were pollutant discharges into the Delaware River that occurred between 2005 and 2011. All of the violations, including state and federal Clean Water Act noncompliance, are covered in the consent decree signed with DNREC and EPA. DNREC first issued a notice of violation to DuPont in April 2008 for numerous effluent discharges that exceeded permit limits and for violations of other general NPDES permit conditions that were not met...EPA Regional Administrator Shawn M. Garvin agreed that the DuPont penalty as agreed to in the settlement was of major environmental significance. "We're taking an important step forward in protecting and preserving the vital resources and recreational opportunities that the Delaware River provides," Mr. Garvin said. "This settlement will improve water quality for all who enjoy and depend upon the river."

Editorial: Menhaden: Fish scales

RICHMOND TIMES-DISPATCH A multistate commission has stepped in to do what Virginia lawmakers should have done long ago: impose restrictions on menhaden fishing. The Atlantic States Marine Fisheries Commission has voted to reduce the yearly catch by roughly one-fourth to one-third from its current height. The menhaden population has shrunk to less than 10 percent of its historic size. That has led to serious consequences for species higher up the food chain, such as striped bass. Most of the menhaden fishing is done by Omega Protein. Omega makes fish-oil supplements at a plant in Reedville, where 300 workers ground up 183,000 tons of menhaden last year. Common sense suggests Virginia ought to regulate menhaden through the state's Marine Resources Commission, as it does with other species. But bills to place the fish under that body's bailiwick meet a swift demise in the General Assembly, which retains authority — but does not exercise it — over menhaden. Omega lavishes campaign donations to state lawmakers of both parties. As a result, the fish is providing a case study in the tragedy of the commons. Overfishing might not be the sole cause of menhaden's decline, but it plays a major role. Fortunately, recent history proves the decline can be reversed. After Virginia Gov. Tim Kaine joined

Maryland's Martin O'Malley to impose catch limits on blue crabs, that species — which, like menhaden, had suffered a sharp drop in population — quickly rebounded. The ideal solution to the menhaden problem would be to raise the fish in aquatic farms. The species' low economic value per fish, as well as its feeding and excretory habits, make farming prospects dim. So Atlantic coastal states are duty-bound to protect the species through catch limits and similar regulatory measures. Regrettably, this could cut into Omega's bottom line and even lead to some layoffs. But those considerations must be weighed in the scales against the greater harm that would result from failing to act. The Chesapeake Bay and its inhabitants belong to everyone.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Editorial: Drilling rules: Affected towns must have role Pennsylvania lawmakers' work on natural-gas legislation has stirred up local governments on the front lines of the state's Marcellus Shale boom who are afraid of losing municipal powers over how the industry operates. The state must have broad powers to regulate drilling, but the local governments make some valid points. Both the state House and Senate are considering measures that would set some new drilling rules and charge an impact fee, most of which would go to local governments. However, the fee will have unprecedented strings attached. Proposals in both houses would preempt local governments from using their land-use powers to set rules that might upset the gas industry. In the Republican-run House, the finance committee has passed a far-reaching measure, with the 15-10 vote falling strictly along party lines. House Bill 1950 follows the approach Gov. Corbett recommended on preemption. Douglas Hill, director of the County Commissioners Association of Pennsylvania, says the group has "huge problems" with the House bill. "It's a complete preemption of our ability to do anything if it falls under the definition of oil and gas or environmental law, and both those definitions have been expanded . . . The House version has things the industry has never complained about." Meanwhile, Senate President Joe Scarnati (R., Warren) has proposed using the carrot of revenue sharing to induce local governments to accept modest but important restrictions on their powers over shale drilling. An early version of his Senate Bill 1100 called for the state to develop a model shale-drilling code and impose it on local governments as the price for collecting impact fees. That bill is being reworked in committee.

The heated competition for shale gas (Sunday) The shale-gas bonanza is fueling a hot competition among businesses that want to claim a share of what is promoted as an abundant long-term energy source. T. Boone Pickens is pitching compressed natural gas as a cheap motor-fuel alternative to imported oil. Electricity suppliers want gas to fire up new power plants. Entrepreneurs are exploring ways to convert natural gas into gasoline. And the chemical industry, which buys natural gas as a raw material for plastics, says fuel from resources like Pennsylvania's Marcellus Shale could inspire a resurgence of U.S. manufacturing. Now, another potentially large rival market for natural gas is emerging: Exports. The Department of Energy has received five applications from companies that want to create terminals to ship liquefied natural gas (LNG) overseas. One application has been approved. The natural gas industry, which is eager to sell more fuel, says overseas markets could generate billions of dollars in export earnings, improve the nation's balance of trade, and boost the economy in shale-gas areas such as Pennsylvania.

GreenSpace: A bright idea: Energy-saving apps It's possible that Tanya Morris has become something of a pest. And she delights in it. Wherever she goes, she's likely to whip out her iPad and open her favorite app: the Light Bulb Finder. Give her half a chance and she'll persuade you to roam your house with her so she can log the incandescent bulbs and use the app to find more efficient versions. "I love it!" said Morris, who has ample reason to champion energy efficiency. She's the communications and outreach coordinator for Energy Coordinating Agency, a Philadelphia nonprofit whose mission is to help people save energy.

PITTSBURGH POST-GAZETTE

Election showed fracking's key role in region (Sunday) Right up to Election Day, Peters residents were receiving sleek fliers in the mail encouraging them to vote against a referendum to ban gas drilling in the Washington County community. The mailers weren't coming from local opposition, but from Houston-based industry group Consumer Energy Alliance. On Tuesday, the Peters referendum was defeated, and Rich Fitzgerald was elected county executive in neighboring Allegheny County. On Wednesday, the Consumer Energy Alliance named a director for its new Pennsylvania chapter: Mike Mikus, who ran Mr. Fitzgerald's campaign. This past week's election offered a preview of a Pennsylvania political landscape where money from outside the state is flowing into the most local of local races, where officials pass through the revolving door of political and industry jobs, and where a billion-dollar industry and grassroots activists are mobilizing to turn every race into a with-us-or-against-us choice.

Task force suggests testing air from well drill pads (Friday) Drill pads in Pennsylvania could be a good place to start testing air emissions associated with natural gas extraction in the Marcellus Shale, according to recommendations released Thursday by a U.S. Department of Energy shale gas task force. And that emissions data should be collected by drillers before government regulations are put in place that require it, said the Secretary of Energy Advisory Board Shale Gas Production Subcommittee. Both the Marcellus and the Eagle Ford shale formation in Texas work as possible testing grounds for systems that would search for air pollutants, the subcommittee report says. The report was the second from the subcommittee tasked with examining best practices in American shale plays and reporting back to Secretary of Energy Steven Chu and President Barack Obama. The subcommittee, which is made up of energy experts and industry leaders, earlier this year completed a months-long listening tour that included a public meeting in Washington, Pa. Its first report, released in August, said natural gas companies should be required to disclose all chemicals used in the hydraulic fracturing, or "fracking," process that splinters shale rock and allows gas to escape.

Local officials oppose Marcellus Shale legislation (Saturday) Local opposition is signing up against state legislative proposals, backed by the Corbett administration, that would prohibit counties and municipalities from enacting and enforcing their own ordinances and zoning rules aimed at controlling Marcellus Shale natural gas drilling. County and municipal officials, mostly in Western Pennsylvania, are urging legislators in a joint letter to preserve existing rights to enact local zoning ordinances by voting against House Bill 1950 and Senate Bill 1100. Also, an electronic petition drive with the same aim, started by Ron Slade, an Upper Burrell resident, Thursday evening, had grown quickly to include 449 signatures by Friday afternoon. "We thought it was a good idea to tell politicians in Harrisburg that we oppose their legislation that thwarts local democratic action," said Mr. Slade, who is using the website SignOn.org to handle the electronic petition signature process. "I feel strongly about the state assault on local zoning rights. It's setting a dangerous precedent and attacking the sovereignty of local municipalities, and it should be stopped. A lot of people are very unhappy with the way this is going." He said the Upper Burrell supervisors unanimously passed a resolution opposing the legislation.

The Next Page: Too many people on Earth? Discuss. (Sunday) In her 2004 collection "An Alchemy of Mind," philosopher-poet Diane Ackerman comments on the "dazzling" range of variation among Homo sapiens compared to other animals: "How is it possible for vast numbers of humans to have elaborate, novel personalities?" "Vast numbers of humans" is a hot topic of late, since Earth's population reached the 7 billion mark just the other week.

PITTSBURGH TRIBUNE REVIEW

Common Cause wants state to limit contributions by the Marcellus shale gas industry The state must institute campaign contribution limits to prevent undue influence on legislative decisions such as that wielded by the Marcellus shale gas industry. That's the message sent by public interest group Common Cause in its recently released report, "Deep Drilling, Deep Pockets In Congress and Pennsylvania." "We could have done this study on a number of industries, but Marcellus shale has been the one with kind of full employment for lobbyists over the last couple of years," said Barry Kauffman, director of Common Cause in Pennsylvania. "We thought it was one of the clearest examples of the power of political money in the development of Pennsylvania public policy." The report says: "Among states where a fracking boom is under way, only Pennsylvania and Texas fail to limit campaign

contributions, allowing the industry to pour unlimited amounts of money into the campaign coffers of its supporters."

Letter: Exporting Pennsylvania gas (Friday) Whatever happened to the notion that domestic natural gas would replace foreign oil and make us energy independent? After reading the Oct. 22 Q&A, "Marcellus shale: The promise & pitfalls," with Nick Loris of The Heritage Foundation, the true intention of the gas industry finally came to light. And that intention is to liquefy the Marcellus shale gas and export it all over the world..

ALLENTOWN MORNING CALL

Standards for Marcellus Shale drilling to be set The next eight days will be big ones for supporters and opponents of natural gas drilling or "fracking" in eastern Pennsylvania. Bills in both houses of the General Assembly may be voted on as early as Monday that would set uniform statewide standards and give the state the power to preempt local ordinances regulating drilling. Then the Delaware River Basin Commission, the multi-state/federal government agency that oversees water issues in the watershed, plans to vote Nov. 21 on its own regulations for natural gas drilling. Resolving conflicts between the state's and the agency's actions — assuming they both approve their measures — means that even after the votes, questions will remain about when and how drilling might commence in the region. The state House of Representatives and Senate have bills that could be voted on this week, both of which generally follow recommendations of Gov. Tom Corbett's Marcellus Shale Advisory Committee. For supporters and opponents, the most significant item in the legislation would be the setting of state control of drilling regulations for all communities, regardless of local zoning. Kathryn Klaber, president of the Marcellus Shale Coalition, a group of most of the gas drilling companies in Pennsylvania, said the legislation would make the process of applying for drilling approval uniform, while increasing economic growth. "The establishment of a predictable framework of heightened health, safety, and environmental protections will benefit all Pennsylvanians, particularly those residing in nearly half of the Commonwealth's communities in the Marcellus fairway without formal zoning rules," she said last week. But after a state House committee voted on the bill last week, Pennsylvania Township Supervisors Association Executive Director David Sanko criticized the bill's one-size-fits-all approach.

Crunch period looming for state lawmakers HARRISBURG — — When they return today from the Election Day/Veteran's Day recess, state lawmakers will have just four work weeks left before they go home for the year-end holidays. And here's what they must do or hope to do: finish a mandatory once-a-decade redrawing of the state's congressional map, pass school vouchers, approve an impact fee for Marcellus Shale drillers, sell the state liquor stores and perhaps pass a series of controversial changes to Pennsylvania's 50-year-old prevailing wage law...While it's a top priority for the House, liquor privatization has had a cool reception in the Senate. The Senate has been more enthusiastic than the House about school choice. And there's a wide range of opinion in both chambers on the best way to allocate money raised by the impact fee on drillers.

SCRANTON TIMES-TRIBUNE

Federal environmental and health agencies collect data from Dimock families Officials from federal environmental and public health agencies met with residents of Dimock Twp. late last week to discuss the impacts of Marcellus Shale natural gas drilling and to gather water-test results from families affected by methane migration. Three representatives from the Environmental Protection Agency and the Agency for Toxic Substances and Disease Registry visited Thursday with families around Carter Road, an area of Susquehanna County where state regulators have linked increased methane in water supplies to faulty natural gas wells. "They are looking to see if there is any environmental impact that would threaten life or health," Dimock resident Scott Ely said. Efforts to reach an EPA spokeswoman were unsuccessful Friday, when government offices were closed for Veterans Day. Natural gas drilling is largely regulated in Pennsylvania by the state Department of Environmental Protection, but the EPA is conducting a multiyear study to determine if there is a link between hydraulic fracturing, or fracking, and contaminated water supplies. The Agency for Toxic Substances and Disease Registry is an arm of the U.S. Department of Health and Human Services that works to prevent exposures to toxic substances. Dimock resident

Victoria Switzer said the agencies were interested in copies of water-sample results from her well, including data gathered by scientists not affiliated with the state or drilling contractors. She also outlined her concerns that DEP weakened enforcement actions against Cabot Oil and Gas Corp., the operator DEP deemed responsible for increased methane in water supplies. Cabot denies it impacted the water. Efforts to reach a DEP spokeswoman were unsuccessful Friday.

Editorial: Gas bill drills taxpayers (Sunday) After years of delay that have costs Pennsylvanians hundreds of millions of dollars in lost tax revenue, the state House finally is poised to extract something from the booming Marcellus Shale natural gas industry. Unfortunately, it won't be much. The bill favored by majority House Republicans would impose a flat per-well "impact" fee on drillers rather than a severance tax that would cut in Pennsylvanians on the amount of money generated by gas production. In effect, according to an analysis by the Pennsylvania Budget and Policy Center, the fees would amount over 50 years to about 1 percent of the value of the gas, or about \$160,000 on projected average production of \$16 million per well. Effective tax rates in other gas-drilling states are substantially higher - 6.1 percent in West Virginia, 5.4 percent in Texas and 3.4 percent in Arkansas, for example. And the Pennsylvania rate is even a bigger break for the industry because, unlike most other gas-producing states, Pennsylvania excludes the value of gas from local property tax values, thus costing school districts hundreds of millions of dollars. Even the modest fee before the House carries a further price. The same bill includes the evisceration of local zoning and planning prerogatives relative to the gas industry. The bill is better than nothing but that's a low bar for the Legislature. It instead should move any of several other bills that propose realistic, fair severance taxes on gas extraction.

LANCASTER NEWSPAPERS

Bay cleanup plan gets major makeover EPA drops specific pollution amounts for counties, municipalities. The federal government has backed off its plans to make counties and local municipalities reduce specific amounts of manure, fertilizers and sediment as part of the Chesapeake Bay cleanup. In a letter to state Department of Environmental Protection Secretary Michael Krancer, the federal Environmental Protection Agency said it would not require "local area targets" when the state submits its cleanup plan by Dec. 15. Pennsylvania is committed to substantially reducing its nutrient pollution into the Chesapeake Bay. "It is a logical common-sense concession," DEP spokeswoman Jamie Legenos said of the EPA granting DEP's request to drop making local communities and counties commit to pollution quotas. The EPA also acknowledged the state's vociferous complaints that computer-generated models that set cleanup goals for states underestimate the progress already made by agriculture and in urban areas of Pennsylvania. For starters, DEP and Lancaster County Conservation District officials assert that nutrient-management plans put in place by farmers are keeping more manure from running into streams than the computers give them credit for. "Pennsylvania is a leader nationally in nutrient management, and the model should appropriately credit the success of our programs in Pennsylvania," Legenos said. The state also has found fault with how computer models credit the nutrient reductions of no-till farming and stormwater runoff conservation measures in urban areas.

READING EAGLE

Ag Digest: USDA collecting data on farms (Sunday) The U.S. Department of Agriculture's National Agricultural Statistics Service will be visiting more than 1,500 farms in six states, including Pennsylvania, from now through January collecting data for the 2011 National Resources Inventory-Conservation Effects Assessment Project. The survey will consider information from producers in the Chesapeake Bay watershed about farming and conservation practices on cultivated cropland.

HARRISBURG PATRIOT NEWS

Editorial: Marcellus misstep: House GOP seems to want to protect natural gas drillers, not Pennsylvania That's the only way to describe House Bill 1950, the House Republicans' attempt at a Marcellus Shale package. GOP leaders say they are for "responsible drilling," but they might as well let the drillers write their own laws. The biggest issue is the impact fee. The proposed rate works out to about a 1 percent tax, which would make Pennsylvania the lowest

of any natural gas-drilling states. Even Texas, which gives shale gas drillers a tax break in the early years down to about 2 percent, didn't go that low. It's certainly a pittance compared with most other states, including neighboring West Virginia's 5.8 percent. This newspaper has called for a reasonable severance fee for years. We concur with Republicans that taxing drillers to solve all the state's fiscal woes is the wrong approach. But enacting the lowest rate in the country on shale gas drillers is not reasonable; it's corporate welfare. Pennsylvanians overwhelmingly support a severance tax. This House bill might be what the governor had in mind, but it's not what the people had in mind. Then there's the question of whether Pennsylvania will even collect the 1 percent. The impact fee implementation and collection is left up to each county, making it feasible that some counties won't even bother with the fee.

JOHNSTOWN TRIBUNE DEMOCRAT

Local business leaders back levy on Marcellus drilling A tax or fee levied on the Marcellus Shale industry is broadly supported by business and industry leaders in the Johnstown region and many think the fee should be nearly 4.5 percent of a drilling company's profits. That information was mind boggling to energy leaders serving on a panel discussion at Thursday's economic summit by the Greater Johnstown/ Cambria County Chamber of Commerce. "I'm concerned about the survey," John Felmy, chief economist, American Petroleum Institute, told leaders at the economic summit. "Pennsylvania is a high-cost state, a high-tax state and too often the oil industry is chosen as a target for (more) taxes." Felmy was joined in his concern by Gene Barr, president and CEO of the Pennsylvania Chamber of Business and Industry. "They've (Marcellus industry) came into the state and ask for nothing and they're paying all the other taxes other companies are paying," said Barr, who spent 12 years with BP America before joining the Chamber. Yet 96 percent of those responding to the Johnstown chamber's annual economic climate survey think the Marcellus industry should pay over and above what other companies pay in terms of taxes and fees, Barr said. Of those responding 46 percent think a combination of taxes and fees should be levied on the Marcellus industry with 25 percent supporting a tax but no fee and the same number supporting fees but no tax.

HAZELTON STANDARD SPEAKER

Groups respond to DRBC drilling rules (Friday) Environmental groups Thursday criticized proposed natural gas drilling regulations revised this week by the Delaware River Basin Commission as worse than the agency's first draft. In a conference call, the groups pointed to several elements of the new draft - setting smaller setbacks between streams and well pads, allowing companies to monitor for their own surface water impacts and dropping a planned agency study on the ability to treat drilling wastewater to the basin's higher standards - they said fail to protect the watershed and its residents from negative effects of gas exploration. "At this point in time, we cannot see how this can move ahead and not degrade our watershed," Tracy Carluccio, deputy director of the Delaware Riverkeeper Network said. The rules were released by the interstate agency on Tuesday in advance of a planned vote on the regulations at a Nov. 21 meeting in Trenton, N.J. The commission is made up of representatives from Pennsylvania, Delaware, New York, New Jersey and the federal government and regulates water resources in the 13,000-square-mile basin. The draft rules were changed after an initial version released in December 2010 garnered a record 70,000 public comments. If adopted, the rules will open the 13,000-square-mile basin to natural gas drilling after a more than 18-month moratorium. The revised rules alter the amount natural gas drillers must pay in bonds or insurance, change the structure of water use approvals for natural gas pads or projects, and make it less cumbersome for drillers to reuse wastewater during their operations in the basin. If approved on Nov. 21, the rules will open the basin to widespread drilling in the Marcellus Shale and other gas-bearing rock formations for the first time.

CRANBERRY PATCH

Marcellus Shale Regulations: Harrisburg Has a Surprise for You Pretty soon, the state government will be able to stick a drill any where it likes. Oh, these pesky local governments. Their leaders keep trying to tell people where they can and cannot set up Marcellus Shale gas drilling rigs. They want to restrict the hours in which companies may conduct their most intensive drilling operations, and they want to impose night noise limits on industrial

operations. They also want to keep heavy trucks off local roads, and they want to keep drilling fluids out of local water supplies. And blah, blah, blah. Enough of that, according to Gov. Tom Corbett and the state General Assembly. After all, how could local governments possibly know better than Harrisburg what's best for local residents? Besides, it's such a nuisance for a company to have to negotiate with so many municipalities. Why not just tell local leaders to forget all this nonsense about trying to act in their own communities' best interests. You've seen one community, you've seen them all. Smaller government? Fuggedaboutit. What's good for Harrisburg is good for Pennsylvania, right? At least so far, the Marcellus Shale boom has been very good to Harrisburg—certainly to the campaign funds of its governor and members of the General Assembly. Corbett, for example, is reported to have received \$1.6 million from the industry. Several senators also are reported to have received generous campaign gifts courtesy of the industry. And there's a lot more where that came from.

WASHINGTON, D.C.

WASHINGTON POST

Do federal regulations really kill jobs? Depends whom you ask. House Republicans have portrayed regulations as the economy's primary villain and have identified 10 "job-destroying" regulations they want to repeal. But economists say the situation is complex and that jobs are also being created. Beverly, Ohio — The Muskingum River coal-fired power plant in Ohio is nearing the end of its life. AEP, one of the country's biggest coal-based utilities, says it will cut 159 jobs when it shuts the decades-old plant in three years — sooner than it would like — because of new rules from the Environmental Protection Agency. About an hour's drive north, the life of another power plant is just beginning. In Dresden, Ohio, AEP has hired hundreds to build a natural-gas-fueled plant that will employ 25 people when it starts running early next year — and that will emit far fewer pollutants. The two plants tell a complex story of what happens when regulations written in Washington ripple through the real economy. Some jobs are lost. Others are created. In the end, say economists who have studied this question, the overall impact on employment is minimal. "If you're a coal miner in West Virginia, it's not a great comfort that a bunch of guys in Texas are employed doing natural gas," said Roger Noll, an economics professor at Stanford and co-director of the university's program on regulatory policy. "Some people identify with the beneficiaries, others identify with those who bear the cost, and no amount of argument is ever going to change their minds."

With the Chesapeake Bay, solving a complex leadership problem (Friday) Katherine Antos is a water-quality team leader in the Environmental Protection Agency's (EPA) Chesapeake Bay Program Office, where she led the creation and evaluation of state plans to reduce pollution in the Chesapeake Bay, the nation's largest estuary, and one of the planet's first identified "marine dead zones." She previously worked for a private environmental consulting firm and for non-governmental organizations that work on land conservation and nature conservation issues. Antos was a 2011 *Service to America Medal* finalist in the Call to Service category. Tom Fox, author of the Washington Post's Federal Coach blog, conducted the interview.

Summer storms kill off Chesapeake Bay oysters (Friday) Hurricane Irene and Tropical Storm Lee brought silt to the upper Chesapeake Bay near Gibson Island, Md., killing off most of the oysters that once flourished there

DELAWARE

CAPE GAZETTE

Commentary: DNREC officers are a valuable resource for state ...I receive reports from DNREC on what type of cases their enforcement officers are involved with. I must say it runs the gambit from fishing without a license, to possessing a firearm by someone prohibited, to sexual activity on state property, to drug busts at boat ramps. I

suspect the general population considers these law officers as nothing more than fish cops, but nothing could be further from the truth. Beginning in September, DNREC officers become even busier than they are the rest of the year as hunting season opens and fishing seasons now extends into December. Back in the 1980s the enforcement division became a combined operation with marine police and game wardens joining forces. Today there are not nearly enough officers and those men and women have the lowest pay scale in all but of few of the other 50 states.

Residents sound off about Tidewater increasesMilton — Milton residents say Tidewater Environmental Services' proposed wastewater rate increase is unfair, excessive and motivated by greed. Dozens of residents filled Milton Public Library Nov. 8 to air their frustration and opposition to Tidewater's proposal to raise rates 90.6 percent. Hearing Examiner Mark Lawrence said the case is in the discovery phase, meaning the Public Service Commission is working with Tidewater and the Division of Public Advocate to find out why the company is seeking an increase in rates. Lawrence will moderate three public comment sessions, review the evidence and make a recommendation to the five-member commission. The final public comment meeting will be at 7 p.m., Wednesday, Nov. 16, at American Legion Post 28 in Oak Orchard. The meeting is intended for residents of Bay Front, Bay Pointe, Harts Landing, The Retreat and Country Grove, but any affected customers may attend the meeting. At the Nov. 8 meeting in Milton, many residents claimed Tidewater's motivation for the rate increases is greed. "A 90 percent increase by any stretch of the imagination is rather bold," said resident Rich Miller. "A 90 percent increase in one swipe could be perceived as being greedy."

DEC: Time right to offer BPW electric system buy-out Lewes — Lewes Board of Public Works directors have made clear the city's electric distribution system is not for sale, but that isn't deterring Delaware Electric Cooperative from offering \$16 million for the system. At its Sept. 28 meeting, the board unanimously adopted a resolution stating "it is not in the best interest of the health, safety and welfare of the city to sell, in whole or in part, the Lewes Board of Public Works' electric utility." At the BPW's Oct. 26 meeting, Patrick McCullar, Delaware Electric Municipal Electric Corp. president, gave the panel a presentation detailing benefits the board would have if it changed from partial to full-requirement membership.

WEST VIRGINIA

CHARLESTON GAZETTE

Blog: 'I will fight for our state's coal industry' Not surprisingly, the coal industry got a favorable mention yesterday when Gov. Earl Ray Tomblin took the oath of office and delivered his inaugural address...Gov. Tomblin did not — as he has in the past — include any promise to take action on the mine safety reforms proposed by Davitt McAteer and others following the Upper Big Branch Mine Disaster. Of course, also not mentioned by the new governor were the growing body of studies about the , coal's huge contributions to climate change (not to mention other serious air pollution problems) and the coming decline in Central Appalachian coal production.

Blog: Marcellus update: Legislature down to the wire on bill, as U.S. Senate comes to town for hearing West Virginia lawmakers the last of a long list of amendments to their pending bill to regulate natural gas drilling in the Marcellus Shale. And later this morning, Sen. Joe Manchin will host a Senate committee meeting here in Charleston to hear testimony about Marcellus drilling in West Virginia. Sen. Manchin said:

Blog: Industry letter outlines opposition to Marcellus bill (Friday) When I was talking with Delegate Tim Manchin, D-Marion, earlier this week about the Marcellus Shale drilling bill (see [here](#) and [here](#)), he said one of the biggest problems for lawmakers and staff has been that industry lobbyists kept declining for months to put their concerns about specific language — or proposals for improvement — in writing. But Delegate Manchin did mention that the West Virginia Oil and Natural Gas Association had recently sent lawmakers a short letter outlining some specific

objections to language added to the legislation by a special interim committee. So I thought we'd post that letter [here](#) so everyone can give it a read. Among the industry's objections:

CHARLESTON DAILY MAIL

Becoming more energy efficient CHARLESTON, W.Va. -- Homeowners and contractors who install heating, ventilation and air conditioning systems, or HVAC, need to be educated about energy efficiency, said Charles Roskovensky, a home inspection instructor. Roskovensky trains individuals to inspect homes and perform an energy analysis in order to make homes safe and energy efficient under standards established by the Building Performance Institute. He teaches at Pierpont Community and Technical College and West Virginia Northern Community College. "Forty percent of energy used (in residential homes) is through our HVAC systems," he told the West Virginia Public Energy Authority on Wednesday. "We have to educate HVAC people as to why it is important to properly size the HVAC system in a home. "We're among the top six states in producing energy. We're in the bottom six in energy efficiency. We need to raise the bar. We can only do that through consumer awareness." Television advertisements will be aired soon in Fairmont and Wheeling promoting the benefits of making homes more energy efficient, he said. Appalachian Power Co. launched a program earlier this year aimed at helping make homes and businesses more energy efficient. The most-publicized portion of the program offers homeowners free energy audits and savings kits with such things as compact fluorescent lights and a low-flow showerhead.

WHEELING INTELLIGENCER

Chesapeake: Cracker Still Part of Equation WHEELING - Chesapeake Energy's agreement to send 75,000 barrels of ethane from the local region to Texas each day should not harm the chances of a cracker facility locating in the region, a Chesapeake official believes. Chesapeake announced it would pipe ethane produced from the Marcellus and Utica shale regions in West Virginia, Ohio and Pennsylvania for cracking in the Gulf Coast region. Enterprise Products Partners revealed the agreement with Chesapeake earlier this month. The 1,230-mile pipeline would have an initial capacity to send 125,000 barrels per day of ethane to the Gulf each day, with commercial operations set to begin in early 2014.

Feds Concerned About Fracking (Saturday) 'Serious environmental consequences' considered. WHEELING - Natural gas companies may drill as many as 100,000 new shale gas wells over the next few decades, but this could significantly damage the environment unless companies reduce their impacts, a federal advisory board finds. A spokesman for the Canonsburg, Pa.-based Marcellus Shale Coalition said his group - which includes Chesapeake Energy, Consol Energy, XTO Energy and Chevron, among other companies working in Pennsylvania, West Virginia and Ohio - said his industry is doing everything it can to cooperate with federal and state regulators to ensure safe development. "Our industry's commitment to ensuring that our environment is protected is second to none, and we continue work closely with state regulators to advance common-sense efforts aimed at responsibly developing clean-burning American natural gas," said spokesman Travis Windle. However, Earthjustice Managing Attorney Deborah Goldberg disagrees. "The way the gas industry has been doing business leaves the water we drink and the air we breathe at risk for dangerous pollution," she said. "The people downstream and downwind from the gasfields don't have any more time to waste."

WEST VIRGINIA METRO NEWS

Marcellus Meetings Come Monday A Congressional field hearing focused on economic, safety and environmental issues related to the development of the Marcellus Shale will be held Monday morning in Charleston. U.S. Senator Joe Manchin requested the hearing from the U.S. Senate Energy and Natural Resources Committee. "This hearing is an opportunity for West Virginia to demonstrate our unique position of strength in the energy industry, as we are literally sitting on top of the tremendous potential of the Marcellus Shale," Senator Manchin said in a statement. He is expected to be the only committee member to attend the hearing in person. The hearing was scheduled to begin at 10 a.m. at the Robert C. Byrd Federal Courthouse in Charleston. At the same time, state lawmakers are looking at the Marcellus shale drilling issue. Members of the Legislature's Joint Select Committee on Marcellus Shale will meet at the State Capitol at 8 a.m. Monthly meetings for state lawmakers will continue through Wednesday in

Charleston.

Marcellus Meeting Canceled (Friday) In an effort to avoid a scheduling conflict with Gov.-elect Earl Ray Tomblin's inauguration, the state Legislature's Joint Select Committee on Marcellus Shale canceled a scheduled Sunday meeting. The committee has been working over the past several months to develop comprehensive rules for natural gas drilling in the Marcellus shale. State leaders had hoped to create a bill that could be passed by the Legislature during a special session this year. However, committee members have hit a stalemate on several key issues.

ASSOCIATED PRESS (W. Va.)

Marcellus consensus still eluding W.Va. lawmakers (Sunday) CHARLESTON, W.Va. -- Two meetings this week should determine whether West Virginia lawmakers will tackle Marcellus Shale drilling rules this year, but the main players involved in the months-long quest for compromise appear as divided as ever. A special House-Senate committee plans to debate a final handful of amendments to its draft Marcellus bill Monday. The legislators will then likely decide Wednesday whether to endorse the measure. Gov. Earl Ray Tomblin has said he's ready to convene a special session for a Marcellus bill that can pass both chambers. But lingering disputes over the key issues that derailed legislation during this year's regular session -- permit fees, water protections, surface owner rights and in-state job creation, among others -- threaten to scuttle the latest effort. "If the bill does not come out Wednesday, then in my opinion the chances of a special session this year is zero," said Delegate Tim Manchin, D-Marion and the committee's House chairman. He added, "It will depend on making sure that members are there, and it will depend on people wanting to get it done If what [critics] want to do is talk the bill to death, then it will die." Senate Co-Chair Doug Facemire sounded somewhat more optimistic, pinning the bill's chances on weaving any amendments approved Monday into the bill in time for consideration Wednesday. But the Braxton County Democrat also acknowledged the continuing disagreements among the industry, environmental advocates, and the owners of surface property at or near well sites and access roads. "I told Delegate Manchin, at least we've accomplished one thing. We've not made anybody happy," Facemire said. "But I honestly believe that out of the 10 members of this committee, everybody's intent was to get the best bill that protects the environment and the residents while allowing the industry to get to work."

Charleston-area group to unveil economic goals CHARLESTON, W.Va. -- The Charleston Area Alliance is set to unveil its economic goals over the next two decades for the Kanawha Valley. Vision 2030 will be outlined at Charleston's West Side Elementary School on Nov. 22. The plan focuses on Kanawha County's strengths, such as the chemical industry and the energy sector.

MARYLAND

BALTIMORE SUN

Editorial: Menhaden restrictions: The one that didn't get away Our view: It's not Maryland's beloved rockfish but the little Atlantic coast fish striped bass love to eat that has earned overdue protections. Two important decisions emerged from the recent meeting of the Atlantic States Marine Fisheries Commission that should have a positive impact on the Chesapeake Bay's striped bass (rockfish) industry. The first was a decision not to restrict the harvest of striped bass, the other to significantly curb the Atlantic menhaden catch. How could a decision to leave alone rockfish, a species highly prized by commercial fishermen and recreational anglers alike, while restricting the harvest of the lowly menhaden, an oily little fish that no self-respecting hook-and-line fisherman would use for anything other than bait, be a win for conservationists and the fishing industry? It's a lesson of the food chain — and a victory for science over politics and short-sighted commerce. The decision not to reduce the striped bass catch by 50 percent in 2012 was voted down chiefly because striped bass landings are still near record-highs and recruitment in the Chesapeake Bay this year was robust as well — the fourth highest number of baby fish on record.

Blog: Bay 'dead zone' sets new record in fall (Friday) The Chesapeake Bay's 'dead zone' has set another record - reappearing this fall after Tropical Storm Lee washed millions of tons of nutrients and sediment into the estuary. State officials and scientists with the University of Maryland say the expanse of oxygen-starved water in the bay, which had virtually disappeared by the end of August, re-formed in September and was still growing in late October. "It's surprising we're seeing it this late," said Tom Parham, director of tidewater ecosystem assessment for the state Department of Natural Resources. The dead zone reached record size earlier in the summer, spreading to cover 40 percent of the bay from the mouth of the Patapsco River practically to the Virginia line. At the time, scientists blamed that on an unprecedented influx of fresh-water into the bay in spring. With it came an extra-heavy load of fertilizer, sewage and other pollutants, which feed massive algae blooms and ultimately consume the oxygen in the water that fish need to breathe.

Commentary: Make 'flush tax' dollars go further (Friday) A panel on growth and wastewater treatment recently recommended tripling the Bay Restoration Fee — known as the "flush tax" — between now and 2015. Good idea. It would raise more than \$145 million a year for the Chesapeake Bay. And with a price tag of more than \$10 billion on Maryland's Watershed Implementation Plan, we need it. But before we ask residents for another \$5 a month, we need to be sure that the money we have now, and the additional money we will have in the future, will be well spent. More than 80 percent of the flush tax — about \$60 million — now goes to pay for sophisticated sewage treatment, called enhanced nutrient removal (ENR). But the state doesn't just hand out the \$60 million each year piecemeal; it wisely uses the money to pay off bonds, the proceeds of which are given out in grants for ENR. (In other words, the state borrows a large sum of money — \$600 million today — by issuing bonds, which are paid off with the annual flush tax receipts.) The problem is this: Instead of \$600 million, Maryland could borrow more than \$900 million without paying one more cent. In 2015, the state will collect about \$180 million for ENR. If nothing changes, it will be able to finance about \$1.8 billion worth of bay restoration projects. But it could also finance more than \$2.7 billion — without tapping one more penny of our money.

Md. official to discuss Deep Creek Lake water levels (Sunday) Sec. John Griffin of Department of Natural Resources to appear at public meeting on Tuesday. The head of Maryland's Department of Natural Resources is heading to Western Maryland to appear at a public meeting on water levels in Deep Creek Lake.

Blog: Oyster die-off ends skipjack captain's career The oyster die-off this year in the Chesapeake Bay may have been limited to its northern reaches, but it's had a severe impact on at least one waterman who worked there. Capt. Barry Sweitzer has laid off his crew and put his 106-year-old skipjack, the Hilda M. Willing, up for sale after managing to find just a couple dozen live oysters in his first day of dredging for them, the Washington Post reports. The state Department of Natural Resources reported last week that 74 to 79 percent of the oysters had died in two areas north of the Bay Bridge. Record-high fresh-water flows from heavy spring rains killed most of them, state officials said, with another fresh-water influx from Hurricane Irene and Tropical Storm Lee probably adding to the mortality.

Blog: Critters flock, hop & swim through road culverts Raccoons, deer, cats, birds, turtles, even humans - all will make tracks under busy highways when they can, or must. That's the upshot of a fun but practical new study from the Appalachian laboratory of the University of Maryland Center for Environmental Science. Researchers spent more than two years capturing critters on infra-red cameras as they moved through 265 different road and highway culverts around the state. They tallied up 57 different species using the underground structures, many of them put in when the road was built merely to channel a stream from one side to the other.

ANNAPOLIS CAPITAL

Cutting harvest will help rockfish, bluefish, osprey There soon will be limits on catching what has been dubbed "the most important fish in the sea." At a meeting in Boston Wednesday, regulators set targets for the size of the East Coast menhaden population and how much can safely be harvested each year. That decision will lead to a 37 percent cut in the harvest, primarily affecting one industrial fishing company based on the Chesapeake Bay. The

company turns menhaden into fish meal and fish oil. Menhaden aren't eaten by humans, but are the preferred food for bigger predator fish, including Chesapeake Bay striped bass. "If striped bass could speak, they'd be hooting and hollering," Chesapeake Bay Foundation President Will Baker said in a statement. "The commission's decision will mean more food for stripers, which have been beset by malnutrition. And bluefish, ospreys, eagles and bay critters that feed on menhaden are celebrating, too."

CECIL WHIG

EPA, DNREC reach settlement with DuPont Corp. for water quality violations (Sunday) The Delaware Department of Natural Resources and Environmental Control, the U.S. Environmental Protection Agency, and state and federal Departments of Justice have entered into a consent decree with the DuPont Co. The company agreed to pay a penalty of \$500,000 for numerous violations of the DuPont Edge Moor plant site's National Pollutant Discharge Elimination System (NPDES) permit and other state and federal regulations. Many of the violations at the facility - which makes a white pigment from titanium used in the print and publishing industries - were pollutant discharges into the Delaware River that occurred between 2005 and 2011. All of the violations, including state and federal Clean Water Act noncompliance, are covered in the consent decree signed with DNREC and EPA. DNREC first issued a notice of violation to DuPont in April 2008 for numerous effluent discharges that exceeded permit limits and for violations of other general NPDES permit conditions that were not met...EPA Regional Administrator Shawn M. Garvin agreed that the DuPont penalty as agreed to in the settlement was of major environmental significance. "We're taking an important step forward in protecting and preserving the vital resources and recreational opportunities that the Delaware River provides," Mr. Garvin said. "This settlement will improve water quality for all who enjoy and depend upon the river."

CARROLL COUNTY TIMES

Officials ask local farmers for help with conservation survey State agriculture officials are asking Maryland farmers to cooperate with supplying information for a region-wide survey aiming to quantify farmers' conservation actions in the Chesapeake Bay watershed. The National Resources Inventory -- Conservation Effects Assessment Project performed a nationwide survey in 2006, but the U.S. Department of Agriculture's Natural Resources Conservation Service has commissioned a 2011 survey specifically for Maryland, Virginia, Delaware, Pennsylvania, New York and West Virginia, said Barbara Rater, director of the National Agricultural Statistics Service, Maryland Field Office.

FREDERICK NEWS POST

Local research lab watchdog group marks one year The Containment Laboratory Community Advisory Committee is keeping a close watch on research laboratories in Frederick County. Marking its first anniversary as an organization, the committee's seven regular members and a handful of others continue to seek more accountability from these labs. "We're not trying to be unsupportive of our growing biotech industry in our community, but we're trying to discern where the gaps are," Chairwoman Beth Willis said. "This is the first time ever that there is a conversation going on where people can discuss concerns. ... This has never happened before, and we think a whole lot more needs to go on." Concerned residents banded together in November 2010 with the goal of establishing better lines of communication among the public, the county, officials at Fort Detrick, and officials at other containment labs in Frederick County that work with potentially harmful chemicals.

MARYLAND MORNING WITH SHEILAH KAST (NPR)

A Better Bay? Every summer, what's known as a "dead zone" forms in the Chesapeake Bay -- called "dead" because the amount of oxygen drops so low, fish and shellfish struggle to survive. This summer, the dead zone was one of the largest ever, reaching from the Bay Bridge to the Potomac River. Yet, a new study conducted by researchers at the Johns Hopkins University and the University of Maryland's Center for Environmental Science finds that efforts over the last 30 years to cut down on pollution to the Bay is actually reducing the overall size of the dead zone. Sheilah discusses the results with the lead author of the study, Rebecca Murphy, a doctoral student in Johns Hopkins' Department of Geography and Environment Engineering.

EASTON STAR-DEMOCRAT

Clean Water Week begins in Easton Fun way to learn about helping the Chesapeake Bay. EASTON The Chesapeake Bay Foundation has chosen Easton to host its first Clean Water Week, which starts today and concludes Friday. The week comes as communities across Maryland are working on ways to meet a federally mandated and unprecedented Chesapeake Bay pollution diet. Talbot County officials are working on a series of strategies, and Clean Water Week offers an opportunity for people to learn about how they can help clean up the Bay. "People have been plagued by beach closures, fish kills, low oxygen dead zones ... they're sick of it. They want to learn more about what they can do," Alan Girard, senior land use policy manager at CBF, said. The week kicks off with a free forum at 6 p.m. Monday at the Avalon Theatre, hosted by the Maryland Chapter of the Sierra Club. "We'll talk about the pollution diet and how people can play a role," Girard said. "The forum is interactive this is about helping people understand what's going on with clean water now, and is a time for people to ask questions." Also at the forum, Tim Junkin, founder of the Midshore Riverkeeper Conservancy, will preview his film, "Let Our Rivers Flow." On Tuesday, Talbot County councilmembers are set to judge a clean water poster contest through Talbot County Public Schools. The event starts at 6 p.m. at the Wagner Witte Gallery at 5 N. Harrison St. At 8 p.m. Wednesday at the Avalon, a free clean water concert with Kentavious Jones and Ryan Wilson and the Poets of Unk is scheduled. And at 6 p.m. Thursday at the Historical Society of Talbot County, a legislative preview hosted by the Maryland League of Conservation Voters Education Fund is scheduled. That preview will provide information on upcoming environmental issues in Annapolis. The week closes with an environmental film festival, hosted by the Midshore Riverkeeper Conservancy. Tickets are \$25 and include food, drink, a silent auction and a film. That starts at 6 p.m. Friday at the Avalon. "We tried to put some events together that would draw interest from a wide diversity of folks," Girard said. "We have a chance to engage what clean water means at a number of different levels.

Project tackles orange-toothed menace (Friday) CAMBRIDGE Members of the Chesapeake Bay Nutria Eradication Project (CBNEP) recently met at the University of Maryland Center for Environmental Science Horn Point Lab to complete their plan to eradicate nutria from the Delmarva Peninsula by December 2015. Nutria, the South American web-footed, semi-aquatic rodents with bright orange teeth, are known to eat the root mat from beneath the marsh, causing it to collapse with wind and wave erosion. The erosion makes it harder for new plants to grow, and also robs wildlife such as birds, fish and crabs of their habitat. Nutria were introduced to Blackwater National Wildlife Refuge in 1943 for their pelts, but when that market failed, the animals were allowed to reproduce unchecked. The goal of the Chesapeake Bay Nutria Eradication Project is to protect remaining wetlands from future harm and to reverse current damage by eliminating nutria from the Delmarva Peninsula by the end of 2015. The Chesapeake Bay Nutria Eradication Project began a pilot project to eradicate nutria at Blackwater in 2003. Steve Kendrot, project leader, said the project is not about killing the nutria, but about restoring the marshes that were either lost or damaged.

VIRGINIA

RICHMOND TIMES-DISPATCH

Editotrial: Menhaden: Fish scales A multistate commission has stepped in to do what Virginia lawmakers should have done long ago: impose restrictions on menhaden fishing. The Atlantic States Marine Fisheries Commission has voted to reduce the yearly catch by roughly one-fourth to one-third from its current height. The menhaden population has shrunk to less than 10 percent of its historic size. That has led to serious consequences for species higher up the food chain, such as striped bass. Most of the menhaden fishing is done by Omega Protein. Omega makes fish-oil supplements at a plant in Reedville, where 300 workers ground up 183,000 tons of menhaden last year. Common sense suggests Virginia ought to regulate menhaden through the state's Marine Resources Commission, as it does with other species. But bills to place the fish under that body's bailiwick meet a swift demise in the General Assembly, which retains authority — but does not exercise it — over menhaden. Omega

lavishes campaign donations to state lawmakers of both parties. As a result, the fish is providing a case study in the tragedy of the commons. Overfishing might not be the sole cause of menhaden's decline, but it plays a major role. Fortunately, recent history proves the decline can be reversed. After Virginia Gov. Tim Kaine joined Maryland's Martin O'Malley to impose catch limits on blue crabs, that species — which, like menhaden, had suffered a sharp drop in population — quickly rebounded. The ideal solution to the menhaden problem would be to raise the fish in aquatic farms. The species' low economic value per fish, as well as its feeding and excretory habits, make farming prospects dim. So Atlantic coastal states are duty-bound to protect the species through catch limits and similar regulatory measures. Regrettably, this could cut into Omega's bottom line and even lead to some layoffs. But those considerations must be weighed in the scales against the greater harm that would result from failing to act. The Chesapeake Bay and its inhabitants belong to everyone.

Regional regulators move to scale back menhaden catch (Friday) A move to cut the harvest of oily little fish called menhaden could help the Chesapeake Bay but hurt the fishing industry, observers said Thursday. The footlong nuggets of nutrition are important foods for game fish such as striped bass and popular animals such as dolphins and ospreys. They also are the targets of an industrial fishing operation in Reedville, about 85 miles northeast of Richmond. A panel of the Atlantic States Marine Fisheries Commission, an interstate regulatory agency, voted Wednesday in Boston to cut the menhaden harvest between 23 and 37 percent. Virginia must go along with the cutback or the federal government could shut down menhaden fishing in the state. "This is really a watershed event in terms of how we manage menhaden," said Chris Moore, a scientist with the Chesapeake Bay Foundation, an environmental group that has claimed for years that too many of the fish were being caught. Jack Travelstead, Virginia's fisheries director, said the fishing cut will hurt not just Omega Protein Inc., which runs the Reedville operation, but also people who catch menhaden to sell as bait and crabbers who buy menhaden for bait. "It's going to result in some severe economic impacts to the Virginia industry," Travelstead said.

State fund helps pay to mop up leaking oil tanks (Sunday) When Bryce and Nancy Bugg of Richmond wanted to sell the family farm that she inherited about six years ago in Orange County, the Realtor told them they needed to remove two huge underground storage tanks — one for gas, the other for diesel. "That's when the cold chill went down my leg," Bryce Bugg recalled. "We didn't want to run afoul of the EPA (Environmental Protection Agency) or stir up a hornet's nest. But I thought, 'Oh my gosh, there goes thousands of dollars to get rid of those tanks.'" The problem wasn't as bad — or as costly — as they thought it would be. Virginia has a state cleanup fund to deal with leaking oil tanks. It covers the costs for home heating oil tanks as well as EPA- and state-regulated gas station fuel tanks and anything between. "It's a very civilized way to deal with underground storage tanks," Bugg said. Property owners are reimbursed through the Virginia Underground Petroleum Storage Tank Fund for expenses related to cleaning up spills caused by corroded, punctured or malfunctioning tanks. The Virginia Department of Environmental Quality won't disburse funds to redo the landscaping or a patio that was torn up to clean up a leaking tank, nor will it pay for the removal of a heating oil tank if a homeowner switches to propane or a heat pump.

NORFOLK VIRGINIAN PILOT

Editorial: Finally, a test for Bay's little fish (Sunday) Fisheries management sometimes involves the best guess about immensely complicated ecosystems. Scientists, for example, couldn't be absolutely sure that suspending winter crab dredging would help boost the crustacean's population in the Chesapeake Bay. But it seemed like an obvious response to a steady decline. That ban on an old Virginia industry has worked so far. Crab populations are rebounding. But scientists would have been stuck with only a theory if regulators hadn't actually acted on it. Another idea is about to be tested. The theory is that the industrial harvest of menhaden in and around the Chesapeake has materially harmed the health of sport fish species and water quality. On Wednesday, the Atlantic States Marine Fisheries Commission adopted a policy that will dramatically reduce the harvest of menhaden. "Once implemented after another year of study and debate, the measures are expected to reduce harvests by up to 37 percent - cuts that Virginia officials say will be damaging to the menhaden industry centered in the Northern Neck town of Reedville and to watermen who catch and sell the oily fish as bait," reported The Pilot's Scott Harper. Virginia voted in favor of a 23 percent cut, but that proposal was defeated. Last week's vote was the culmination of more than a year of debate. There were more than 90,000 public comments, a remarkable volume of

interest in a fish that few people would eat.

NEWPORT NEWS DAILY PRESS

Newport News to open permanent hazardous waste facility NEWPORT NEWS — The city will soon open a permanent facility in Denbigh that will allow residents to drop off household hazardous waste materials. The site, at the Denbigh composting facility off of Atkinson Way, will open Friday, Nov. 18, replacing a quarterly program where residents could drop off hazardous materials at Gildersleeve Middle School. Public Works Director Reed Fowler said that in addition to helping the environment, it will be more convenient for residents. Lines would get long during the quarterly drop-offs, as some residents had to wait hours to get rid of old paints, stains, oils, chemicals, televisions, computer monitors and other waste, he said. "What really was a driving motivation, we wanted to give even more of an opportunity for residents to bring their hazardous waste to us, more than three to four times per year," Fowler said. The Household Hazardous Waste facility will be open every Friday and Saturday from 8 a.m. to 4 p.m., except for holidays.

Oyster gardeners share passion for beneficial crop (Friday) Taste six different kinds of oysters and learn about shell recycling, shucking at Gloucester event Saturday. A relationship between the Virginia Institute of Marine Science and the Tidewater Oyster Gardeners Association (TOGA) started in 1998 with 20 members taking the first three-day oyster gardening course. The Marine Advisory Services Program at VIMS has offered the course in partnership with TOGA every two years since then.

LYNCHBURG NEWS AND ADVANCE

Experts explain risks of uranium mining Uranium mining and milling, like all activities, entails risk. Residents need to fully understand the risks to public health and safety when coming to a conclusion on whether to allow uranium mining in Virginia. That's why Virginia Tech hosted a day-long workshop on uranium, radiation, health studies, uranium recovery regulations and nuclear power at the Institute for Advanced Learning and Research on Saturday, said Virginia Tech geochemistry professor Robert Bodnar. "Find out what the facts are and make up your own minds," Ward Whicker, radioecology professor at Colorado State University, told attendees. "That's the way democracy ought to work." A grant from Virginia Uranium Inc. to Virginia Tech paid for the symposium, but VUI did not choose the speakers or organize the workshop, said moderator Steve Brown of SENES Consultants. VUI would like to mine and mill a 119-million-pound uranium deposit at Coles Hill in Pittsylvania County.

NORTHERN VIRGINIA DAILY

Town weighs wastewater pilot project FRONT ROYAL -- A new option for upgrading Front Royal's wastewater treatment plant could save \$500,000 over the original renovation plan. The Chesapeake Bay Act requires that the town's facility upgrade its capacity to conform with discharge and nutrient removal requirements, according to Town Manager Steve Burke. He said that during the discussion of how the upgrades were to take place, the consultant brought up the new process, called BioMag, which is an alternative settling process. Burke said it has been used in other states with some success, but hasn't been tried yet in Virginia. Because of this, in order to implement BioMag, the town would have to authorize a pilot study to prove to the state's Department of Environmental Quality that the results that have been achieved in other states can be replicated in Virginia. "Our consultant has outlined an effort for them to do a design for this pilot program," Burke said. "If it is successful, the improvements can be incorporated into the improvements to the wastewater treatment plan." The project as it was originally designed would cost the town \$40 million. Using BioMag, could shave \$500,000 off of that.

FREDERICKSBURG FREELANCE STAR

Editorial: Fish story The Atlantic States Marine Fisheries Commission limits the menhaden catch. ALITTLE FISH got a big boost last Wednesday when the Atlantic States Marine Fisheries Commission voted 14-3 to cut the allowable catch of menhaden by 37 percent. For almost anyone associated with fishing up and down the East Coast, that's very good news. The menhaden, aka pogey or bunker, is an oily, nondescript-looking little critter that has been called "the most important fish in the sea." Why? Because bigger fish--bluefish, weakfish, striped bass, tuna,

whales--eat them, as do sea birds such as osprey. They are a rich source of Omega-3 oils. And processed menhaden are used for fertilizers, pet food, and food for fish--such as salmon and catfish--raised commercially. The problem is that the menhaden population has been on the decline for many years. At one time, it wasn't unusual to see schools stretch for 40 miles. Today, the population in the Chesapeake Bay is less than 10 percent of its original (estimated) size. That includes an 88 percent drop over the last 35 years. The implications are profound and widespread: Striped bass are underfed and sickly, osprey nestlings are failing to thrive, and whales, tuna, and other marine life are having a harder time finding food. The entire East Coast sport-fishing industry is also threatened. But so, of course, is the livelihood of Omega Protein, whose menhaden operation is based in Reedville. The only large-scale commercial harvester of menhaden, Omega took 80 percent of the total harvest last year--160,000 metric tons. That's a lot of little fish. The company, which disputes the idea that menhaden are overfished, warns that the ASMFC's action could cost jobs. Indeed, that would be a difficult loss for our Northern Neck neighbors. But the alternative is worse: According to the Pew Environment Group, failing to limit the menhaden catch would cause a complete collapse of the population. In Virginia, the only state to allow large-scale harvesting of menhaden, the little fish is a huge political issue. It's the only saltwater fishery supervised directly by the General Assembly, not the Virginia Marine Resources Commission. Four bills to transfer authority from the politicians to the scientists died in Richmond last year, and with Republicans now firmly in control, there's not much hope for a change next year. Playing politics with pogies, apparently, has become a Virginia tradition: The state representative to the ASMFC was one of the three naysayers on the catch reduction. Fortunately, however, others on the ASMFC, established in 1942 to oversee the mutual interest of all the states along the East Coast, are looking out for the little guy: Menhaden will get a breather beginning in 2013.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

Senate Defeats Republican Effort to Block EPA Cross-State Rule The Senate defeats a Republican proposal to nullify EPA's Cross-State Air Pollution Rule. The resolution of disapproval (S.J. Res. 27) fails on a vote of 41-56, but Sens. Manchin and Coats vow to pursue another approach they tout as a compromise. Their Fair Compliance Act of 2011 (S. 1833) would give industry until Jan. 1, 2017, to comply with both the cross-state rule and EPA's utility MACT rule. [More »](#) ... A package of Republican deregulatory proposals, including provisions to bar EPA from issuing farm dust rules, is voted down by the Senate during debate on a tax bill.

ASBURY PARK PRESS (NJ)

Chesapeake Bay study offers hope for controlling nutrient pollution Nutrient curbs cut dead zones in Chesapeake. Efforts to reduce nutrient pollution flows to Chesapeake Bay appear to be working, because data show the size of oxygen-starved "dead zones" in the bay has been declining — offering hope that a similar effort could pay off for Barnegat Bay. "We have some evidence that if we continue that management, we could see more improvements," said Rebecca R. Murphy, lead author of the new science paper published in this month's issue of the journal *Estuaries and Coasts*. Murphy and fellow researchers correlate a long-term decline in the volume of dead zones to a 20 percent reduction in nutrients coming from the Susquehanna River, the bay's major tributary. Every summer, fishing reports and news stories tell of miles-long stretches on Chesapeake Bay where decaying algae blooms suck all the oxygen and life out of the water. Watermen on Maryland's Eastern Shore last summer said dead zones were pervasive, even in remote rural creeks that are usually reliable producers of blue crabs. "I wouldn't be surprised that folks on the bay are concerned by these dead zones. This summer in particular was very bad," said Murphy, a doctoral student at Johns Hopkins University's Department of Geography and Environmental Engineering.

MY CENTRAL JERSEY.COM

Fracking protest rally planned in Trenton ahead of Delaware River Basin Commission Vote (Friday) Environmental groups are planning a large rally later this month in Trenton, an attempt to influence a regional agency's action on

rules that could open the door to drilling for natural gas in the Delaware River watershed. The Delaware River Basin Commission will vote to adopt draft regulations covering Marcellus Shale hydraulic fracturing, or fracking, at its Nov. 21 meeting at the War Memorial auditorium. Doug O'Malley, field director for Environment New Jersey, said Thursday that commissioners can expect being greeted that morning "by one of the largest environmental rallies in recent history for Trenton." "Buses, church basements rented out, the whole nine yards," he said. "We are expecting people from all over the region, all over the country, from all walks of life," said Maya van Rossum, leader of the Delaware Riverkeeper Network. She added that the commission received 69,000 comments from the public, "breaking records," over four months during the rulemaking process. Gov. Chris Christie has a seat on the commission, but routinely assigns his voting power to John Plonski, an assistant state Department of Environmental Protection commissioner. The governors of three other basin states — Pennsylvania, Delaware and New York — also have seats. The five-member panel also includes the commander of the Army Corps of Engineers' North ...

BUFFALO NEWS

Fracking boom could go bust in NY While state debates, industry moves on. Larry Beahan of Buffalo and Mike White of Steuben County live 130 miles away from each other, and their views on fracking seem at least that far apart. Yet, strangely, the Buffalo environmentalist and the Southern Tier property owner are equally pessimistic about what once was seen as a likely natural gas boom in the Southern Tier to match one that has transformed northern Pennsylvania. To Beahan, New York is moving slowly but fatefully toward allowing a kind of natural gas drilling that he says will spoil the environment. "We're simply not equipped to handle the massive amount of potential contamination" the Buffalo resident said he fears from the hazardous chemicals used in the process known as hydraulic fracturing, or fracking.